



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1641

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Attorney Docket No.: DEX-0109  
Inventors: Macina et al.  
Serial No.: 09/700,769  
Filing Date: January 04, 2001  
Examiner: Unknown  
Group Art Unit: 1641  
Title: A Novel Method of Diagnosing,  
Monitoring, and Staging Colon  
Cancer

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I, **Nathan P. Letts**, Registration No. **36,581**, certify that this correspondence is being depositing with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231.

On this date: February 21, 2002

  
Nathan P. Letts, Registration No. 36,581

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(XX) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the

date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

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( ) In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

( ) Certification in Accordance with §1.97(e) is set forth below; or

( ) The fee of \$180.00 as set forth in §1.17(p) is attached.

( ) In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(i)(1).

(XX) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith.

(XX) A copy of the of the PCT Search Report for PCT Application PCT/US99/10498 which corresponds to the subject US application 09/700,769 is included.

( ) In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449

(modified) are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

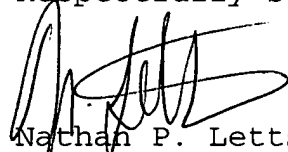
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EP 160012900

(XX) Due to the large size of some references, only relevant portions have been submitted. The included portions are as follows: WO 99/53051 A2 (Pages 1-152, Figures 1-10, Sequence listing pages 1, 32-33, 440); WO 99/63088 A2 (Pages 1-510, Figures 37-39); WO 00/12708 A2 (Pages 1-499, Figures 239, 240, 247, 248). Full text of abbreviated reference is available if requested.

(XX) Reference WO 99/55858 A2 is in a foreign language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-0434. This form is submitted in duplicate.

Respectfully submitted,



Nathan P. Letts  
Registration No. 36,581

Date: February 21, 2002

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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Serial Number

09/700,769

Filing Date

January 04, 2001

Applicant

Macina et al.

Group Art Unit

107/642

Examiner Name

Not Yet Assigned

Attorney Docket Number

DEX-0109

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class	Subclass	Filing Date MM-DD-YYYY
	AA	US 5,733,748	03/31/1998	Yu et al.			06/06/1995
	AB	US 5,929,033	07/27/1999	Tang et al.			02/10/1998

**FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class	Subclass	Translation/Comments
	AC	WO 96/39419 A1	12/12/1996	Yu et al.			
	AD	WO 98/44133 A1	10/08/1998	Billing-Medel et al.			
	AE	WO 99/01020 A2	01/14/1999	Carter et al.			
	AF	WO 99/24463 A2	05/20/1999	Lal et al.			
	AG	WO 99/25828 A1	05/27/1999	Conklin et al.			
	AH	WO 99/47658 A1	09/23/1999	Hensley et al.			
	AI	WO 99/53051 A2	10/21/1999	Dumas Milne Edwards et al.			Abbreviated
	AJ	WO 99/55858 A2	11/04/1999	Specht et al.			No Translation
	AK	WO 99/60161 A1	11/25/1999	Mancina et al.			
	AL	WO 99/63088 A2	12/09/1999	Baker et al.			Abbreviated
	AM	WO 00/12708 A2	03/09/2000	Baker et al.			Abbreviated
	AN	WO 00/28031 A2	05/18/2000	Lambeth et al.			
	AO	WO 00/32221 A2	06/08/2000	Ashkenazi et al.			
	AP	WO 00/37643 A2	06/29/2000	Xu et al.			

Examiner  
SignatureDate  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

Serial Number	09/700,769
Filing Date	January 04, 2001
Applicant	Macina et al.
Group Art Unit	4041/1642
Examiner Name	Not Yet Assigned
Attorney Docket Number	DEX-0109

**OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No.	Author, title of the article, title of the item, date, volume-issue number, page(s).	Translation/ Comments
	AQ	Arbiser et al., Reactive oxygen generated by Nox1 triggers the angiogenic switch, PNAS, Jan 22, 2002, Vol 99 no 2, pp 715-720.	
	AR	Lambeth et al., Novel homologs of gp91phox, TiBS, 2000, 25, pp 459-461.	
	AS	Shinozaki et al., Upregulation of Reg 1alpha and GW112 in the epithelium of inflamed colonic mucosa. Gut. 2001 May; Vol. 48(5):623-9.	
	AT	Suh et al., Cell transformation by the superoxide-generating oxidase Mox1, Nature, Sept 2, 1999, Vol 401, pp 79-82.	
	AU	Database Genebank, Accession No. XP_010073, NCBI, NADPH oxidase 1 isoform long [Homo sapiens], 27 Aug 2001, see sequence.	
	AV	Database Genebank, Accession No. NP_008983, Shu et al., NADPH oxidase 1 isoform long; mitogenic oxidase (pyridine nucleotide-dependent superoxide-generating); NADPH oxidase homolog-1 [Homo sapiens], 03 Feb 2001, see sequence.	
	AW	Database Genebank, Accession No. CAB06073, Lloyd, D, dJ146H21.2 (similar to Cytochrome B-245 heavy chain) [Homo sapiens], 23 Nov 1999, see sequence.	
	AX	Database Genebank, Accession No. NP_098249, Suh et al., NADPH oxidase 1 isoform long; mitogenic oxidase (pyridine nucleotide-dependent superoxide-generating); NADPH oxidase homolog-1 [Homo sapiens], 03 Feb 2001, see sequence.	
	AY	Database Genebank, Accession No. AK000683, Tanigami et al., Homo sapiens cDNA FLJ20676 fis, clone KAIA4294, highly similar to AF097021 Homo sapiens GW112 protein, 22 Feb 2000, see sequence.	
	AZ	Database Genebank, Accession No. Q9WV87, Suh et al., NADPH oxidase homolog 1 (NOX-1) (NOH-1) (NADH/NADPH mitogenic oxidase subunit P65-MOX) (Mitogenic oxidase 1) (MOX1), 30 May 2000, see sequence.	
	BA	Database Genebank, Accession No. O46522, Davis, Cytochrome B-245 heavy chain (P22 phagocyte B-cytochrome) (neutrophil cytochrome B, 91 kDa polypeptide)...., 30 May 2000, see sequence.	

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SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.